

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANDY NICHOLAW,

No. C-11-4272 JCS

Plaintiff,

**ORDER DISMISSING COMPLAINT**

v.

BOARD OF SUPERVISORS,

Defendants.

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Plaintiff Andy Nicholaw has filed an application to proceed *in forma pauperis*. He has consented to the jurisdiction of a United States magistrate judge pursuant to 28 U.S.C. § 636(c). On October 14, 2011, the Court granted Plaintiff's application, finding him indigent. However, the Complaint was dismissed with leave to amend for failure to state a claim.

On October 19, 2011, Plaintiff timely filed a First Amended Complaint. Pursuant to 28 U.S.C. § 1915(e)(2), the Court is required to dismiss an *in forma pauperis* complaint that fails to state a claim. *Marks v. Solcum*, 98 F.3d 494, 495 (9th Cir. 1996). As with the initial Complaint, the Court is unable to discern any legally cognizable claim in Plaintiff's First Amended Complaint. Despite the Court's admonishment to provide specific facts that support the claims, the First Amended Complaint contains bare recitations of legal standards, with no facts in support.

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Therefore, the Court DISMISSES Plaintiff's First Amended Complaint.

The Clerk shall close the file.

IT IS SO ORDERED.

DATED: November 22, 2011



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JOSEPH C. SPERO  
United States Magistrate Judge